

Docket No.: 287980/0005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicants: Christoffersen et al.

Serial No.: 09/821,335

Art Unit: 2872

Filed: March 29, 2001

Examiner: Faye G. Assaf

For: STACKED PLANAR INTEGRATED OPTICS AND TOOL FOR  
FABRICATING SAME

August 1, 2002

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants submit this paper in response to a Restriction Requirement dated July 2, 2002 in connection with the above-identified patent application. A response to the Restriction Requirement is due by August 2, 2002. Accordingly, this response is being timely filed.

**Certificate of Mailing (37 C.F.R. 1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: *Commissioner for Patents, Washington, D.C. 20231*, on (Date) August 1, 2002.

Typed or printed name of person signing this certificate:

Beatrice Cahn

Signature: Beatrice Cahn

**RESPONSE TO RESTRICTION REQUIREMENT**

In the July 2, 2002 Office Action, the Examiner required an election under 35 U.S.C. §121 between the following inventions:

- A*  
*Entered by*  
*FA*  
*11/27/02*
- I. Claims 1-15 and 60-77, drawn to a method of manufacturing a replication tool or an optical system, classified in class 264, subclass 1.1+, and
  - II. Claims 16-59, drawn to a former, replication tool, and an optical system, classified in class 359, subclass 566.

In response to the Examiner's requested election, applicants hereby elect, with traverse, to prosecute Invention II, as recited by claims 16-59. Accordingly, applicants hereby cancel claims 1-15 and 60-77, corresponding to Invention I, without prejudice to applicants' rights to pursue the prosecution of that Invention and claims in a further application or applications.

Additionally, in the July 2, 2002 Office Action, the Examiner required, upon election of Invention II, a further election under 35 U.S.C. §121 among the following species:

- Species 1: a former for making a replication tool,
- Species 2: a replication tool for replicating optical sheets,
- Species 3: an optical system wherein the replicated micro-structured optical element is a transmissive diffractive optical element, and
- Species 4: an optical system wherein the replicated micro-structured optical element is a reflective diffractive optical element.

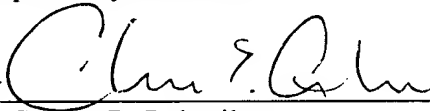

In response to the Examiner's requested election, applicants hereby elect, with traverse, to prosecute Species 3 of Invention II. Applicants maintain that claims 34-59 read on Species 3. Accordingly, applicant hereby cancels claims 16-33 without prejudice.

Early and favorable action in the above-identified application is respectfully requested.

No fee is deemed necessary in connection with the filing of this response. However, if any fee is required, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 19-4709.

Respectfully submitted,

By

 43,531 

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